

OCT 27 1963

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Established 12, 1878

The Pulitzer Publishing Co.

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Otepka in Limbo

The case of Otto Otepka rests in a peculiar and unsatisfactory state of suspended animation. Mr. Otepka is the State Department security officer who was charged with giving confidential data to the counsel for the Senate Internal Security Subcommittee. Thirteen charges of violating State Department regulations were preferred against him.

The subcommittee, through its vice chairman, Senator Dodd of Connecticut, has strongly supported Mr. Otepka. Secretary of State Rusk appeared in closed session before the group, and afterward the department announced that it would postpone action indefinitely. Previously it had indicated it would either call Mr. Otepka before a hearing board or drop the case.

Senator Dodd contends that if violations occurred they were "technical." Mr. Otepka, in a long reply to the State Department allegations, held that he had not violated the "spirit" of the regulations. Technicalities may be involved, but the charges as originally stated by the department were substantive and serious.

A major question left unanswered is whether Mr. Rusk caved in under pressure from the subcommittee. Mr. Otepka is either guilty or not guilty, and it is up to the department to issue a clear finding. It is possible, of course, that the subcommittee and Mr. Rusk have reached a private understanding as to Mr. Otepka's future, but if so it is no contribution to public understanding.

The real issue here is not, of course, the supernatural one it might appear. The Senators used Mr. Otepka to provide them with information known to the State Department attitude toward Fidel Castro. The question is not whether the Senators had a right to the information; they could have called Mr. Rusk. It is whether they have the moral right to seize upon a minor official in an executive department in an effort to make a case that would not stand up if all the facts were put in proper perspective and evaluated fairly.

This is not a new technique. Senator McCarthy used it extensively. It is still reprehensible.